

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

AMNESTY INTERNATIONAL USA,
CENTER FOR CONSTITUTIONAL RIGHTS, INC.,
AND WASHINGTON LEGAL SERVICES, INC.,

Plaintiffs,

v.

Civil Action No. 07 CV 5435 (LAP)

CENTRAL INTELLIGENCE AGENCY,
DEPARTMENT OF DEFENSE, DEPARTMENT
OF HOMELAND SECURITY, DEPARTMENT
OF JUSTICE, DEPARTMENT OF STATE, AND
THEIR COMPONENTS,

Defendants.

**DECLARATION OF
WILLIAM T. KAMMER**

I, William T. Kammer, hereby declare and state as follows:

1. I am the Chief, Office of Freedom of Information, Executive Services Directorate, Washington Headquarters Service, a Component of the Department of Defense (DoD), and have held that position since August 2005. As Chief, I am responsible for implementation of the DoD Freedom of Information Act (FOIA) Program and issuance of agency-wide policy guidance and instruction on FOIA matters. See 32 CFR 286. Additionally, I supervise the processing of initial FOIA and Privacy Act (PA) requests for documents within the possession and control of the Office of the Secretary of Defense (OSD) and the Office of the Chairman of the Joint Chiefs of Staff (Joint Staff). I also supervise the processing of FOIA/PA appeals for the OSD and the Joint Staff. I am familiar with the subject litigation and the FOIA request submitted by the plaintiffs. The statements I make in this declaration are made on the basis of personal knowledge and information I have received in the performance of my official duties.

2. Attached as Exhibit A to this Declaration is a true and correct copy of the Declaration of Michael B. Donley, dated June 6, 2006, which was submitted to the United States District Court of the Northern District of New York in the case of Long v. Office of Personnel Management, No. 5:05-cv-1522 (NAM/DEP) ("First Donley Declaration"). Attached as Exhibit B to this Declaration is a true and correct copy of the Second Declaration of Michael B. Donley, dated November 2, 2006, which was also submitted to the United States District Court of the Northern District of New York in the case of Long v. Office of Personnel Management, No. 5:05-cv-1522 (NAM/DEP) ("Second Donley Declaration").

3. The policy described in paragraphs 9-16 of the First Donley Declaration and in paragraphs 3-6 of the Second Donley Declaration remains the current policy of the Department of Defense. Accordingly, it is the policy of the Department of Defense that it will not release, nor authorize any other federal agency to release, lists of names or other personal identifying information of DoD personnel for the reasons stated therein.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Signed this 4th day of February, 2008.

William T. Kammer
WILLIAM T. KAMMER